

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



455 GOLDEN GATE AVENUE, SUITE 11000
SAN FRANCISCO, CA 94102-7004

Public: AREA CODE/PUBLIC NUMBER
Telephone: 415 703-5535
Facsimile: 415 703-5480
E-Mail: @doj.ca.gov

March 17, 2003

Stephen R. Jones
U.S. Department of Labor
Office of the Solicitor
Employment and Legal Services Division
Room N-2101
200 Constitution Avenue, NW
Washington, DC 20210

RE: U.S. Department of Labor v. California Department of Industrial Relations
No. 2002-CCP-1

Dear Mr. Jones:

On March 13 I received by facsimile an undated letter from you and an enclosure titled "Prosecuting Party's First Set of Interrogatories and Request For Production Of Documents". The Certification Of Service attached to the enclosure is dated March 17. The text of the document differs from the text of from a document bearing the same title that OATELS served on the parties on January 17. Thus, OATELS has submitted two different documents bearing the same title. To eliminate the confusion caused by OATELS' duplicative titles, in this letter I will refer to the March 13 enclosure as "Second Set".

The Second Set states that is a resubmission of the discovery requests that OATELS served on the parties on January 17. I will refer to the January 17 discovery requests as the "First Set".

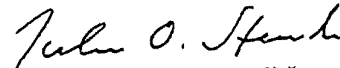
The First Set were directed to the California Department of Industrial Relations ("DIR"). In other words, the First Set requested DIR to provide responses. A resubmission of the First Set obviously makes the same request, not a different request. The First Set did not request the California Apprenticeship Council ("Council") to provide responses. A resubmission of the First Set does not change the nature of the request in the First Set.

OATELS could have avoided this difficulty by serving DIR and the Council with discovery requests that requested the Council to provide responses. Based on our telephone conversation, this is what I thought OATELS was going to do.

In order not to waste any more time on this matter, I will treat the Second Set as an attempt to request discovery from the Council.

This brings us to another problem. The Second Set arrived by fax on March 13, but the certificate of service is dated March 17. I assume the dating of the certificate was an oversight and therefore have calendared the responses for April 17. I doubt that further time will be needed.

Sincerely,



JULIAN O. STANDEN
Deputy Attorney General

For BILL LOCKYER
Attorney General

cc: All counsel